

(3) "USED PRINCIPALLY IN THIS STATE" MEANS USED IN THIS STATE FOR THE MAJORITY OF TIME IN A CALENDAR YEAR THAT THE VESSEL IS IN USE. IN APPLYING THIS DEFINITION, A VESSEL IS NOT CONSIDERED TO HAVE BEEN IN USE FOR ANY PERIOD OF TIME THAT IT HAS BEEN HELD FOR MAINTENANCE OR REPAIR FOR 30 CONSECUTIVE DAYS OR MORE.

†3† (4) "TOTAL PURCHASE PRICE" MEANS THE PRICE OF A VESSEL, INCLUDING SIMULTANEOUSLY PURCHASED MOTORS, SPARS, SAILS, AND ACCESSORIES EXCLUSIVE OF TRAILER, AGREED ON BY THE BUYER AND SELLER, WITH NO DEDUCTION FOR TRADE-IN OR OTHER NONMONETARY CONSIDERATION.

†4† (5) "VESSEL" HAS THE MEANING INDICATED IN § 8-701(O), EXCEPT THAT "VESSEL" DOES NOT INCLUDE A SHIP'S LIFEBOAT, A VESSEL PROPELLED ONLY BY SAIL, OR VESSEL MANUALLY PROPELLED.

[(a)] (B) The Department shall charge a \$2 fee to issue a certificate of title, a transfer of title, a duplicate, or a corrected certificate of title.

[(b)] (C) (1) Except as provided in subsection (d) of § 8-715 and in subsection [(c)] (E) of this section, and in addition to the fees prescribed in subsection [(a)] (B) of this section, [a title] AN EXCISE tax is levied AT THE RATE OF 5 PERCENT OF THE FAIR MARKET VALUE OF THE VESSEL on the issuance of every original certificate of title required for a vessel under this subtitle, [and] on the issuance of every subsequent certificate of title for the sale, resale, or transfer of the vessel, UPON THE SALE WITHIN THIS STATE OF EVERY OTHER VESSEL AND UPON THE POSSESSION WITHIN THIS STATE OF A VESSEL PURCHASED OUTSIDE THIS STATE TO BE USED PRINCIPALLY IN THIS STATE. [as follows:]

[(1) The dealer or, if there is no dealer, the Department shall collect a tax at the rate of 5 percent of the gross sales price or, if no sale immediately precedes the application for title, the fair market value of the vessel for which a certificate of title is applied for and issued. The Department may require the applicant to submit to it or the dealer satisfactory proof of the vessel's gross sales price or fair market value in order to establish the tax due.]

[(2) The tax imposed by this subsection is in lieu of collecting any tax on the sale of vessel required under Article 81, §§ 325 or 373 unless otherwise exempt from the tax.]

(2) Notwithstanding the provisions of this subsection, no tax is paid on--†-

††-THE issuance of any certificate of title if the owner of the vessel for which a certificate of title is sought was the owner of the vessel prior to June 1, 1965, or if he paid Maryland sales tax on the vessel as required by law at